

NEWSPAPERARCHIVE®

the "court-martial or military commission" of "Lincoln's proclamation" in not being governed by the common law or immemorial customs and acts of Parliament, but submitting for law the proclamation of the Executive and grounding their judgment upon them. The English nation, however, repelled the attempt with indignation, and by the celebrated Petition of Rights arbitrary imprisonments and the exercise of martial law were abolished, and the obnoxious courts suppressed.

[Continued next week.]

The Compiler.

OUR FLAG.



E. J. STABLER, EDITOR AND PROPRIETOR.

GUTHRIE, PA.

MONDAY MORNING, MAR. 14, 1864.

THE LEGISLATURE.

THE ABOLITION SENATORS RECELE!

The House, on Wednesday, passed finally an act relative to the payment of bounties to volunteers. In the Senate, on the same day, the bill allowing soldiers to vote came up on final passage. The yeas and nays, as required by the Constitution, were called, and resulted—yeas 18, nays 7. The Democrats, on the ground that the Senate was not legally organized, either did not vote or voted "no."

Mr. Penney then rose, and after some remarks, resigned the usurped Speakership, to which he had up to that time so tenaciously clung, and was elected Speaker by a party vote—Penney 17, Clymer 18. Thus at last, after a protracted and stubborn struggle, have the Abolition Senators receded from their false and revolutionary position, and recognized the correctness of the views and action of the Democratic minority. We invite attention to the Address of the Democratic Senators to the Democracy of Pennsylvania, in which they most triumphantly vindicate themselves.

On Thursday, a number of Democratic Senators who had declined to vote, before the election of Mr. Penney, on the bill extending franchise privileges to soldiers, asked leave to vote.

The Abolition Senators refused to let them do so. Magnanimous majority!

[Continued next week.]

Hon. John L. Dawson's Speech.—We devote our first page to-day to the publication of the first half of Hon. J. L. Dawson's great speech in Congress on the 24th ult.—the balance will be given in our next. The speech is marked throughout with high-toned and lofty patriotism—with a comprehensive judgment of the causes of our national difficulties and the means of restoring the Union to its former tranquility.—It carries us back to the days of pure and undivided devotion to the whole country; and its eloquent denunciations of sectional narrow-mindedness and its appeals to legislators to come up to the full stature of the manhood of the statesmen of the older time, remind us that yet the Constitution has a defender worthy of a nation's gratitude, and the people a representative whom they can trust as a guide; one to whom they can look for words of true wisdom and safe counsel. The speech is replete with warnings drawn from intimate acquaintance with the historical causes which led to the dissolution of other Governments, and it calls with prophetic voice to those who revere the institutions of our fathers to shun the same roads to ruin. In its delivery Mr. Dawson commanded the undivided attention of the House; inspired his friends with new faith and courage, and his political enemies with wholesome fear.

The Age.—We publish, in another column, the prospectus of the Philadelphia Age for 1864. This Age has been in existence about one year, during which time, we are happy to learn, it has met with success beyond the most sanguine anticipations of its friends. It is the only Democratic daily published in Philadelphia, and is conducted on the most enlarged and liberal principles. It is in every respect a first-class daily newspaper. It gives the latest and most reliable news of the day, both domestic and foreign, together with such a variety of solid and substantial reading matter as to make it useful to the farmer, mechanic, merchant and professional man, as well as a welcome visitor to the family circle. In its politics it is thoroughly Democratic, and advocates with marked ability those great and fundamental political truths which underlie our republican form of government. It is worthy the support of every true Democrat in the State, and we trust it may continue to receive that patronage from the party which its merits deserve.

The Retreat at Gettysburg.—General Warren was to-day before the Committee on the Conduct of the War, and examined at length in regard to the battle of Gettysburg. He gave a full and explicit statement of that affair, and it is understood to have vindicated the conduct of General Meade.

A Bolt Threatened.—The Missouri Democrat, the leading Republican organ west of the Mississippi, gives the following emphatic warning to the Lincoln wire-pullers: "If a high-handed attempt is to be made to force Mr. Lincoln's nomination upon that convention, the attempt will necessarily beget a revolt, for which, and for whatever disastrous consequences flow from it, these desperate schemers will be held responsible."

The Returns received by telegraph from New Hampshire indicate the success of the Abolition ticket by a majority of five thousand. No other result could have been anticipated. Thousands of soldiers of the Abolition stamp had been sent there to vote, while the Democrats were kept in the field.

Murderer Arrested.—The negro suspected of the murder of the soldier near Chambersburg, was arrested one day last week in Martinsburg, Va. He was taken to Chambersburg and lodged in jail, to await his trial at the next term of court.

Major White has been exchanged.

THE DAMAGE BILL.

In the fall of 1862, the rebel General Stuart made a raid through Franklin and Adams counties, and carried off a large number of horses, greatly to the inconvenience and loss of farmers and stockmen. Mr. McSherry, in the Senate, and Messrs. Myers, Horton, and others, in the House, at the following session of the Legislature, made earnest efforts to have the sufferers paid the amounts of their damages out of the State Treasury, the State to settle with the National Government. It was found, however, that Gov. Curtin was hostile to the measure, and, as a consequence, a practical bill, one which would have given prompt and effectual relief, was smothered, and another passed in its stead, the only effect of which has been to delay indemnification.

During last summer, a stupendous rebel invasion of the border counties occurred—an invasion which resulted, here, in one of the most severe and destructive battles of the war. The losses and sufferings of our people in consequence can only be imagined by those who visited the bloody scene soon after. Not only were horses and cattle without number carried off, but houses and barns were given to the flames; the ripened grain was trampled into the earth, fences disappeared as before a whirlwind; the families of many theretofore prosperous and comfortable farmers were driven to seek shelter beneath other roofs, beggars for the commonest necessities of life. On their return to their own plantations and happy homes, their saddened hearts were given only that welcome which ruin and desolation can give.

Thus stricken, they appeal to their less fortunate fellow citizens of a great and affluent Commonwealth to lighten their burdens—not in the light of charity, but of justice, because they do not see that they should be expected to bear all the losses which the rebels may be able to inflict upon the State, whilst those less dangerously situated escape altogether. There is right in the matter, and there should be philanthropy enough everywhere to see it.

That the relief asked for should be granted by the Legislature, we think is clear. Not only so, it should come promptly. It is needed now. Houses, barns and fences must be rebuilt, and at least a portion of the sufferers must depend upon the payment of these damages to enable them to go on with the necessary repairs. Hence this measure of relief, to be well passed, should be passed quickly.

But will it be? Is it anxiously asked by many of our people. We have had our fears from the beginning, aroused by the shape given to the "Stuart raid" bill; and the proceedings of the House, on Thursday week, tend to confirm them more strongly than anything that has yet transpired.

Mr. Smith, of Chester, is the Republican leader of the House, and it has for some time been understood that he is opposed to the State paying these damages. He is also chairman of the Committee on Federal Relations, which committee is made up of a majority of his party. On Thursday week, Mr. McMurtrie, of Blair, moved that the bill be referred to the Committee on Federal Relations. This Mr. Sharpe, of Franklin, promptly resisted. Why, he asked, should it be referred? By order of the House, the bill had been referred to a select committee. That committee, after several meetings, after having well matured the bill, reported it to the House. It was discussed during several sessions, and nothing whatever was said directly against the bill—nothing to convince anybody that it should not pass in the shape in which it was reported to the House. He therefore hoped that it would not be handed over to the tender mercies of the Committee on Federal Relations.

Mr. Smith, of Chester, then took the floor, and advocated the reference, declaring that he desired the bill to be first put into a different shape, and giving as a reason, that "the transactions out of which these claims arise, are matters within the jurisdiction of the National Government; and if any Government is bound to pay these claims, it is the Government of the United States." Mr. Sharpe again got the floor, and, in a very able speech, further resisted the motion to refer. He said:

"I do not like this device of killing a man in this floor and say upon the stand of whether they are in favor of paying the citizens of Pennsylvania for the losses which they have sustained not by the rebels alone, but also by the United States troops who came here in defence of the Government, and to preserve the integrity of the Commonwealth. If it is to be defeated, I want the people to know who has defeated it. I desire that members who are opposed to it shall have the moral courage to stand up on this floor and declare by their votes that they are unwilling that the people of Pennsylvania shall be indemnified for their losses. Therefore I hope that the House will not refer this bill to the Committee on Federal Relations. If it is to be defeated, let it be defeated in a fair and honest way, and let every man who votes against it take the consequences of his vote."

Mr. Smith replied, insisting on the reference. Finally, the yeas and nays were called by Mr. Barger and Mr. Sharpe, and the motion to refer to the Committee on Federal Relations prevailed—the Republicans voting for it:

Yeas.—Messrs. Alleman, Balach, Bancroft, Bigham, Billingsfield, Bowman, (Lancaster), Brown, Burgwin, Cochran, (Giles), Coleman, Donniton, Ettner, Glass, Guernsey, Haslett, Henry, Herron, Hill, Huston, Kaiser, Kelley, Koonce, Lee, Lilly, McKee, McMurtrie, Mayer, Marsh, Miller, Musselman, Negley, O'Hara, Olmsted, Orger, Pancost, Price, Reed, Sisk, Smith, (Snyder), Smith, (Lancaster), Stanberger, Surges, Ward, Watson, Wells, and Wiley—41.

Nays.—Messrs. Alexander, (Centre), Barber, Beck, Boileau, Boyer, Ellis, Gilbert, Graber, Hakes, Hargrett, Hopkins, Hoover, Horton, Jackson, Kerns, (Schuylkill), Klinton, Labar, Long, McManus, Marshall, Mismar, Meyers, Nelson, Noyes, Patton, Pershing, Fottenger, Purdy, Qigley, Reiff, Reed, (Lehigh), Seifeld, Sharpe, Shimer, Spangler, Walsh, Weaver, Weiser and Wiley—41.

From this action, it is not difficult to infer what the final result will be. A bill may be passed, but we fear it will be no better than the "Stuart raid" bill. It will no doubt merely provide for the appointment of commissioners, as a good fat poem, whose report will amount to nothing after it is made.

In this county, previous to the fall election, prominent Republicans said, "elect Curtin and he will have all the damages paid." In Franklin county a similar prom-

THE DAMAGE BILL.

ise was made. The Chambersburg Spirit and Times says:

"The Republican leaders in this county, the fall, and elsewhere upon the stump, pledged their party to this measure, and we now call upon them to make that pledge good. If they were sincere, let them bring such a proposition to their own Republican association as will insure the passage of the bill. Otherwise they must take account of keeping the word of promise to the ear, and breaking it to the bone."

We cannot better conclude this article than by the following extract from the Chambersburg Repository—Col. McClure's paper:

"It is urged by some, who may be friendly to the measure, but who do not fully understand the circumstances surrounding these claims, that the present Legislature should only make for their administration and leave it for a future Legislature to provide for payment. This would be a cruel trifling with the rights of the devastated counties. Two previous legislatures have exhausted our people by like words of promise to the ear and breaking them to the bone; and our citizens have borne the expense to have their accounts audited under various trinket claims during the last two years, and not one of the claims so adjudged has been paid. The losses sustained by the occupation of our lands by the three months' men have all been obtained in only two years ago. Applicants were appointed by our courts, in a compliance with an act of the Legislature, and the claimants had to pay for counsel and for the costs of the trial. The result confirmed the claims as against the State, but it took day after day to run up the bill. The sufferers by the invasion in 1862 were notified to appear before a commission and establish their losses, and another commission adjudged the losses by reason of the imprisonment of horses the same year. All this was done at a considerable expense, and the claims have never been paid. During the last year, in pursuance of another act of the Legislature, commissioners were appointed to ascertain the losses growing out of the rebel raid of 1862, and again our people have been in court, as required by the law, and have the expense of establishing their claims. We submit, therefore, whether it would not be a necessary to begin, for the third time, to propose legislation without payment?"

The members of the Senate assembled in the Senate Chamber at Harrisburg on Tuesday, January 5th, A. D. 1864, at 2 P. M. Of the twenty-two Senators holding over, all were present save Major White, who was a prisoner in the hands of the rebels; of those present, twelve were Democrats, and nine Republicans. The Senate was called to order by the Hon. J. P. Penney, the Speaker elected at the close of the session of 1863. The Secretary of the Commonwealth was then introduced, and presented the returns from the districts which had elected Senators in October, 1863. The returns were opened and read, by which it appeared that four Democrats and seven Republicans had been elected, all of whom were present, thereby creating a tie in the vote between the two great political organizations of the country as represented on that day.

Upon the reading of the certificates of election, it would have been the duty of the Senator elected Speaker at the close of the session of 1862, to have vacated the chair, had he been governed in his action by the express terms of the Constitution, which, by section X, Article I, prescribes that the general Assembly shall meet on the 1st Tuesday of January in every year, and by section XI, of the same Article, that "each House" fit, when they meet on that day shall elect its Speaker and other officers. It appears to the undersigned that the words "each House shall elect its Speaker" are sufficiently certain to deter mine the question that no one elected Speaker by the Senate of 1862 could exercise the duties of that office under the State of 1864—the latter being a new and distinct body, made up of other members, who had never participated in an election for Speaker, and as by the express terms of the Constitution, "each House shall elect when they meet on the first Tuesday in January in each year a Speaker and other officers."

It is manifest and clear that the Senator from Allegheny had no shadow of right to exercise the duties of Speaker over this new Senate which had never elected him its Speaker, and we have never recognized him as such. But admitting for the sake of argument, that the words of the Constitution are ambiguous and equivocal, then precedent and usage in favor of, not determining their meaning, and by this test the undersigned desire that their position may be tried.

During a period of seventy years, from 1791 until this day, there is but one instance where a Speaker elected by the former Senate attempted to exercise the duties of his office over a succeeding and new Senate, and that was during the "Burgin War," when the late Charles B. Penney, the Speaker holding over, entertained two motions relative to contested seats; but when these were determined, and he vacated the chair, and did not dare to resume it, until by the vote of the new Senate, he was elected Speaker. If the Republican members of the Senate of 1864 can gather comfort from this solitary exception in the unbroken line of precedents, they are welcome to it. The boldness and magnitude of their act of usurpation has destroyed its significance as a deed of revolution.

The Senator from Allegheny, notwithstanding the express words of the Constitution, with their meaning illustrated by the action of all former Speakers, save one, for a period of seventy years, after the reading of the certificates of election which created the new Senate, failed to vacate the chair, which he occupied by courtesy and for the sake of convenience. He requested the new Senators to come forward to be sworn. This the Republican Senators did, and also the Democratic Senators; the latter, however, under a protest, in which, in brief and emphatic terms, they denied his right to muster the oath of office to them, they having been elected members of a body of which he had never been elected Speaker. It is here to be observed that this course was necessary on their part, for the reason that it was the evident intention of the Republicans, should the Democrats refuse to take the oath, to leave their names off the roll, whereby our opponents would have secured a clear majority of those voting.

After this act of usurpation the new Senate, by a unanimous vote, adopted a resolution to proceed to an election for Speaker. If it is not true that the office was vacant, (as the undersigned contend,) why the necessity to elect a Speaker? But under this resolution several ballots were held on that, the first day of our meeting, each resulting in a tie between the Republican candidate, Mr. Penney, and the Democratic candidate, Mr. Clymer. The Senate adjourned until the next day, when, after several ineffectual ballots, the Senator from Berks, Mr. Clymer, on behalf of the undersigned, made the following proposition of compromise, viz: That the Republicans should elect the Speaker of the Senate, the Democrats the clerk, and so alternately until all were filled. This basis of settlement the undersigned considered to be just. It was made, not for the purpose of securing place or position, but to vindicate a principle. It was precisely the basis of compromise adopted in 1855, when the Democrats having an actual majority (although not present) were given the Speakership. The Know-Notthings of that day (at present, Republicans) the clerk, and so alternately to the end of the list. But this proposition the Republican Senators of 1864 refused to

accept. They had entered upon usurpation, and they determined to adhere to it with all its consequences.

During the protracted struggle which followed, this offer of compromise was renewed from time to time: it was always rejected, and not one proposition tending to a solution of the difficulty ever came from the Republican side, save the absurd suggestion of the Senator from Erie, Mr. Lowry, that he would vote for the Democratic candidate for Speaker provided either he or some one of the undersigned would agree to become any party or test question.

It is thus a matter of history that the Republican Senators refused a fair and just proposition which, had it been accepted, would have organized the Senate on the second day of its meeting. They attempt to justify their conduct on two grounds.—First, that the Senate is ever organized, the Speaker of a former Senate being the Speaker of the subsequent one; and, second, that Major White, if present, would have given them a majority.

We have heretofore exposed the fallacy of the first position by reference to the words of the Constitution, and to the unbroken precedents of seventy years. In addition, we will present a test which will so clearly expose the unavailability of the second position, that it will be unnecessary, however prejudicial, may mistake or misinterpret it.

By the XXIII article, Article I, of the Constitution of this State, it is provided that all bills passed by the Legislature and presented to the Governor for his signature, within ten days of the final adjournment, shall become laws without his signature, unless sent back with objections within three days after their next meeting.

In 1855 the Legislature met on the second day of January. The contest for Speaker was prolonged until the fifth, when the Hon. Wm. M. Hoister, of Berks county, was elected. Upon the sixth, the fourth day after their meeting, the Governor of the Commonwealth returned, with his object second of the most important bills passed by the Legislature of 1854, and President of the Republican Senators of 1864 accepted, viz: that the Senate is always organized, and that the Speaker of the former Senate is the Speaker of the new Senate, though these bills of 1854, vetoed by Governor B. on the sixth day of the session of 1855, are laws notwithstanding his veto. That this is not so, or at least that none of the eminent lawyers and statesmen who composed the Senate of 1854 and 1855, who voted for these bills, would have signed them on the sixth day of the session of 1855, are laws notwithstanding his veto. That this is not so, or at least that none of the eminent lawyers and statesmen who composed the Senate of 1854 and 1855, who voted for these bills, would have signed them on the sixth day of the session of 1855, are laws notwithstanding his veto.

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The Soldier's Photograph.
[After the battle of Gettysburg, a Union soldier was found dead beneath a tree, with a photograph, representing three lovely children, clasped in his useless hand, which picture, a few moments before he died, he was seen to gaze upon and fondly kiss.]

Beneath the forest shade
The soldier sank to die;
With feeble hand he brushed away
The death-drops from his eye,
And, gazing on the picture once more,
He sought the parting pain.
The pictured faces so dear,
He saw might win again.
Each face a different face
He saw, and in his own
He sought to hear once more
Their voices' gentle tone,
And over his dying brain
The memories of the past
Came as if some sweet sun-set gleam,
The forest—the last.
He saw his humble home,
His children at their play,
Their mother's dear and tender eyes—
The light of other days,
The sunshine of "sweet home"
Around him seemed to beam;
But then he waked, and knew, alas!
Twas but a dying dream.
Amid the battle's din
He had not feared to die,
But now a pang was in his heart,
A tear-drop in his eye,
For still his passing hour
From earthly life to part,
When both of love's soul, twining arms
Are clinging to the heart.
The souls that dwell alone,
The cold, unloving grave,
Nor sternly mock death's icy dart,
Nor shudder at the grave,
But his the bitter pang
That wakes the hollow moon,
Who knows that dear and loving hearts
Lie bleeding with his own.
Twas thus the soldier felt,
Yet still his falling sight
Strove hard to trace those pictured forms
Amid death's coming night.
Upon their features dear
He fondly bowed his head,
And, as he kissed them, with a sigh,
The soldier's spirit fled.

A Babe from Headquarters.—The Washington *Chronicle* thus talks at the Clubs, Leagues, &c., who are now so full of resolves, but who raise so few men:
"We do not ask mere words or speeches or resolutions of commendation. These resources of battery and praise will not sustain the Union. They will not weaken one man in the Southern army, nor turn aside a rebel ball from its deadly mission. We have it in our power to end this war in three months from the opening of the spring campaign."
As Unfortunate General.—Gen. Seymour, who commended the Federal troops in the recent reverse in Florida, likewise managed the desperate, bloody and unsuccessful assault on Fort Wagner before it was captured. He is reported to be a brave and accomplished officer, but ill-fortune seems to follow all his enterprises.

A dispatch from Washington mentions a rumor that Gen. Butler has succeeded in making arrangements with Commissioner Caldwell which will probably lead to an exchange of prisoners on both sides.
One of the boldest strokes yet is the effort of Republicans in Indiana to run Gov. Morton for re-election, when the State constitution expressly says that no Governor shall be eligible for a second term.

What a Strange Story from the *Abolitionist*.—The town of Connecticut has appropriated towards the support of the war \$8,600,000. Add to this her proportion of the public debt, and the sum will reach \$80,000,000, or one-third of all the taxable property of the State. Now do these enormous appropriations, which are made by the State, add to the vast appropriations made by the towns and cities. "It would require," says the *Hartford Times*, "fifty million of men, as closely as they could be packed, to draw the above amount of money in silver dollars." When! and all this to demonstrate that the negro is not a white man!

Another Soldier's Fate.—A serious riot occurred at Elmira recently, the participants in which were all soldiers. A party of fifty or sixty commenced a riot on various drinking saloons. The patrol undertook to arrest the rioters, and a collision was the result, in which guns, sabres and bayonets were freely used. One soldier was shot dead, another mortally wounded, and several others more or less injured. The invalid Corps regiment finally turned out, suppressed the disturbance, and arrested the ring-leaders.

Ben. Butler seems to be trying to outdo even himself in Virginia. Like Nero, who, when he had no other rival, tried to rival himself by making every day's wickedness exceed the former. Butler is trying to rival in Virginia the villain he perpetrated in New Orleans.

Three negroes of the Fifty-fifth Massachusetts Regiment were recently hung in Florida for committing a rape on a white woman.
Rossini was four years old before he had a birthday. That is, he was born on the 20th of February, 1792.
Major Thaddeus Stevens, Jr., of Lancaster, Pa., nephew of Hon. Thaddeus Stevens, has been appointed provost marshal of that district.

In Cincinnati, last week, a wealthy Quaker refused to give any money to aid the war, but said there was a loose \$100 note at his office, which the committee might find.
A Knoxville letter of the 9th says Longstreet has fifty-five thousand men, and sixteen or eighteen batteries of artillery.
Nevada is said to be the richest silver-bearing country in the world. Its product this year will be \$15,000,000.

Public Sale
ON WEDNESDAY, the 16th of MARCH next, the subscriber, intending to quit farming, will sell at Public Sale, at his residence, in Butler township, Adams county, near Lower's Mill, on the line of Middle town, the following valuable personal property, viz:
3 HEAD OF WORK HORSES, (two of them being brood mares, with foal.) 1 Two-year-old and 2 Yearling Colts; Cows and Young Cattle, 1 Four-horse 24 inch broad-wheel Wagon and Spring Wagon, 1 Family Wagon, for one or two horses, 1 Sleigh and Bobs, 2 sets Manure Boards, 1 Hay Cart, and pair of Hay Ladders, Wood Ladders, Patent Spraying-machine, Horse Power and Threshing Machine, York Grain Drill, and a lot of Bags, 1000 lbs. of Flour, 1000 lbs. of Corn, 1000 lbs. of Rye, 1000 lbs. of Oats, 1000 lbs. of Potatoes, 1000 lbs. of Apples, 1000 lbs. of Butter, 1000 lbs. of Lard, 1000 lbs. of Sugar, 1000 lbs. of Coffee, 1000 lbs. of Tea, 1000 lbs. of Rice, 1000 lbs. of Beans, 1000 lbs. of Peas, 1000 lbs. of Corn Meal, 1000 lbs. of Flour, 1000 lbs. of Corn, 1000 lbs. of Rye, 1000 lbs. of Oats, 1000 lbs. of Potatoes, 1000 lbs. of Apples, 1000 lbs. of Butter, 1000 lbs. of Lard, 1000 lbs. of Sugar, 1000 lbs. of Coffee, 1000 lbs. of Tea, 1000 lbs. of Rice, 1000 lbs. of Beans, 1000 lbs. of Peas, 1000 lbs. 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